

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 7-17 are presently active in this case. The present Amendment amends Claims 7 and 12; and adds Claims 13-17.

The outstanding Office Action objected to the specification because of informalities. Claims 7-12 were rejected under 35 U.S.C. § 102(e) as anticipated by Kitahara et al. '045 (U.S. Patent No. 6,962,045). Claims 7 and 12 were rejected under 35 U.S.C. § 102(e) as anticipated by Kitahara '185 (U.S. Patent No. 6,698,185).

In response to the objection to the specification, the specification is amended to include the appropriate sub-headings. In light of their formal nature, the changes to the specification do not raise a question of new matter.

In order to clarify Applicant's invention, independent Claims 7 and 12 are amended to specify that the primary and secondary injections are performed such that the diesel engine delivers a constant torque during a transition to the regeneration mode. This feature finds non-limiting support in the disclosure as originally filed, for example at page 2, lines 17-21; and page 4, lines 17-20.

In order to vary the scope of protection recited in the claims, new Claims 13-17 are added. New Claims 13-17 find non-limiting support in the disclosure as originally filed, for example at page 4, lines 26-28 (Claim 13); at page 5, lines 1-5 (Claim 13); at page 7, lines 14-16 (Claims 14-15); at page 8, lines 14-16 (Claim 13); at page 9, last two paragraphs (Claim 16); at page 10, lines 1-4 (Claim 16); at page 10, last paragraph (Claim 17); in Fig. 1 (Claims 14-15); in Fig. 2 (Claim 16); and in Fig. 4 (Claim 17). Therefore, the changes to the claims are not believed to raise a question of new matter.¹

¹ See MPEP 2163.06 stating that "information contained in any one of the specification,

In response to the rejections of the claims under 35 U.S.C. § 102(e), and in light of the present Amendment, Applicant respectfully requests reconsideration of these rejections and traverses the rejections, as discussed next.

Briefly recapitulating, Applicant's invention, as recited in amended Claim 1, relates to a method for control of a motorization system including a diesel engine, an air-intake circuit, and an exhaust circuit for exhaust gas originating from the engine. The intake circuit includes an adjusting mechanism for controlling flow of air entering the engine and the exhaust circuit including a nitrogen oxides trap for storage of nitrogen oxides contained in the exhaust gases. The method performs a regeneration mode to regenerate the nitrogen oxides trap by supplying reducing exhaust gases. The method includes the steps of determining an index value of air flow corresponding to an operating point of the engine during the regeneration mode; instructing the adjusting mechanism to obtain an air flow close to the index value; and performing a primary and secondary injection of fuel. The secondary injection is performed during an expansion phase and operative to maintain the exhaust gases in the reducing state. The primary and secondary injections are performed such that *the diesel engine delivers a constant torque during a transition to said regeneration mode.*

Turning now to the applied prior art, the Kitahara et al. '045 patent discloses an internal combustion engine (1) that includes a diesel particulate filter 14, which traps particulate matters in the exhaust gas, and a NOx trap catalyst 13, which traps NOx in the exhaust gas. The Kitahara et al. '045 patent is concerned with the timing of the regeneration. When the timing of the diesel particulate filter (14) and the regeneration timing of NOx overlap, the diesel particulate filter regeneration is carried out first and thereafter, followed by the NOx regeneration. However, the Kitahara et al. '045 patent fails to disclose that the

claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

diesel engine delivers a constant torque during a transition to said regeneration mode, as now required by the amended claims.

The Kitahara '185 patent discloses a method for purifying exhaust gas from an internal combustion engine with the use of a NOx trap catalyst, which can achieve and maintain sufficient NOx purification performance without being influenced by oxygen in the exhaust gas. However, the Kitahara et al. '185 patent fails to disclose that the diesel engine delivers a constant torque during a transition to said regeneration mode, as now required by the amended claims. The applied prior art also fails to disclose the features of new dependent Claims 13-17 in combination with those of independent Claim 7.

Therefore, the prior art fails to disclose every feature recited in Applicant's claims, so that Claims 7-17 are not anticipated by the prior art. Accordingly, Applicant respectfully traverses, and requests reconsideration of, the 35 U.S.C. § 102 rejections based on the et al. patent.²

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 7-17 is earnestly solicited.

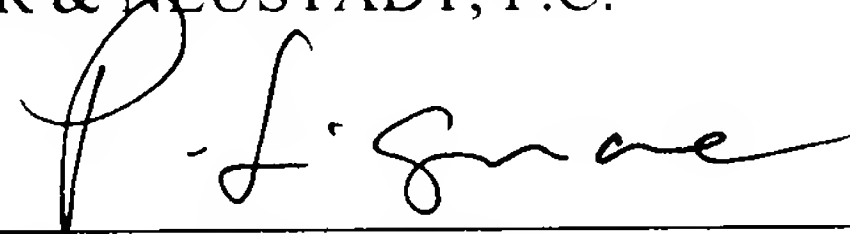
² See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

Application No. 10/561,446
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Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "P. J. Signore", is written over a horizontal line.

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